

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for DOG KENNEL IN RC 2 ZONE.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

Legal Owner(s):

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.: 296-6820

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address

City and State

Phone No.

ORDERED BY The Zoning Commissioner of Baltimore County, this 21st day of July, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 9th day of September, 1986, at 11:30 o'clock A.M.

Zoning Commissioner of Baltimore County.

CCO-No. 1

(over)

87-85-XA

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 21st day of July, 1986

ARNOLD JADON
Zoning Commissioner

Petitioner James A. O'Donnell, et al Received by: James F. Dyer
Chairman, Zoning Plans
Advisory Committee

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 401.1 TO PERMIT A YARD SETBACK OF 20'

INSTEAD OF THE REQUIRED 20'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

DOG KENNEL MUST BE CONSTRUCTED IN RC 2 ZONE
RC 2 LINE THROUGH PROPERTY IS LESS THAN
200' FROM PROPERTY LINE.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

Legal Owner(s):

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.: 296-6820

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address

City and State

Phone No.

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Zoning Commissioner of Baltimore County.

(over)

CERTIFICATE OF PUBLICATION

TOWSON, MD., August 21, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on August 21, 1986.

THE JEFFERSONIAN,

Arnold Jadon
Publisher

Cost of Advertising

24.25

PETITION FOR SPECIAL EXCEPTION AND VARIANCE
4th Election District
Case No. 87-85-XA
LOCATION: 1650' West of Mikules Manner Lane, 850' South of Bakers Schoolhouse Lane (21239 Mikules Manner Lane)
DATE AND TIME: Tuesday, September 9, 1986, at 11:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by order of the Zoning Commission, will hold a public hearing on the petition for a Special Exception for a dog kennel in an RC 2 Zone. The petition for a Special Exception for a dog kennel in an RC 2 Zone is being filed by James A. O'Donnell, et al, as shown on plat plus filed with the Zoning Office. In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will, however, intervene any request for a stay of the issuance of a building permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.
By Order of
ARNOLD JADON
Zoning Commissioner
of Baltimore County
8/17/86

IN RE: PETITION FOR SPECIAL EXCEPTION AND ZONING VARIANCE
1650' W of Mikules Manner Lane,
850' S of Bakers Schoolhouse Lane,
(21239 Mikules Manner Lane)
6th Election District
James A. O'Donnell, et al
Petitioners

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 87-85-XA

The Petitioners herein request a special exception to permit a dog kennel in an RC 2 zone, and additionally, a variance to permit a front yard setback of 40 feet in lieu of the required 200 feet.

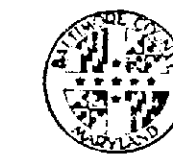
Testimony by and on behalf of the Petitioners indicated that they purchased the subject property in 1983. The bulk of the site is zoned RC 4 which does not permit a kennel, but a strip of land zoned RC 2 runs along a portion of the northern property line and all of the eastern property line. The Petitioners' family resides in the property and each year, from 10 - 13 acres are used for crops or pasture. The owner has utilized the appropriate IRC form for farm income and the Maryland assessment declaration of intention to remain a farmer. The Petitioner has a fanciers license (limiting him to 10 dogs) for raising and showing English Pointers. In fact, the Petitioner is vice president of the National American Pointer Club and raised and showed the only dual champion in U.S. history. The dogs belong to the family; no other dogs are boarded. The property is in a right-of-way shared with five other families. The nearest dwelling is approximately a quarter of a mile away from the proposed kennel location. To place the kennel anywhere on RC 2 zoned property would require a variance. He would prefer that the kennel be considered a part of the farm so that he could relocate the kennel on the RC 4 portion of the property to the southeast of the house, approximately 600 feet from the eastern property line.

The owner of an adjacent piece of property testified in protest. He objects to noise from the dogs and stated that the dogs chase quail on his property.

ORDER RECEIVED FOR FILING

Date

By



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3333

ARNOLD JADON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

November 24, 1986

S. Eric DiMenna, Esquire
406 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Petition - Special Exception and Zoning Variance; 1650' W of Mikules Manner Lane, 850' S of Bakers Schoolhouse Lane (21239 Mikules Manner Lane) 6th Election District James A. O'Donnell Property Case No. 87-85-XA

Dear Mr. DiMenna:

Enclosed please find a copy of the decision rendered on the above-referenced Petition. Your request for a special exception and zoning variance have been granted, subject to the restrictions as noted in the attached Order.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

JEAN M. H. JUNG
Deputy Zoning Commissioner

JMD:bjb

Attachments

cc: Mr. Foy R. Allen
8200 Thornton Road
Towson, Maryland 21204

Mr. & Mrs. James A. O'Donnell
21239 Mikules Manner Lane
Freeland, Maryland 21053

People's Counsel

Paul Lee P.E.

Paul Lee Engineering Inc.

304 W. Pennsylvania Ave.
Towson, Maryland 21204
301-821-5341

DESCRIPTION

21239 MIKULES MANNER LANE
6TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point, said point being the northeastern-most corner of the property and located along the south side of a 20' right of way for ingress and egress 1,650' westerly from the center of Mikules Manner Lane, thence leaving said south side of a 20' right of way 13 following courses and distances:

- (1) S 16°00'10" East 844.93 feet
- (2) S 56°59'50" West 330.00 feet
- (3) N 30°43'54" West 119.78 feet
- (4) N 25°27'49" West 74.00 feet
- (5) S 62°34'22" West 140.29 feet
- (6) S 09°12'03" East 225.84 feet
- (7) S 51°17'59" West 344.95 feet
- (8) N 35°42'19" West 205.01 feet
- (9) N 06°28'30" East 61.85 feet
- (10) N 37°11'56" East 474.41 feet
- (11) N 39°48'04" West 664.17 feet
- (12) N 72°41'56" East 395.34 feet and
- (13) N 72°59'50" East 379.50 feet to the point of beginning.

Containing 14.74 acres of land, more or less.

Saving and excepting that portion of ground zoned R.C.4.



5/12/86

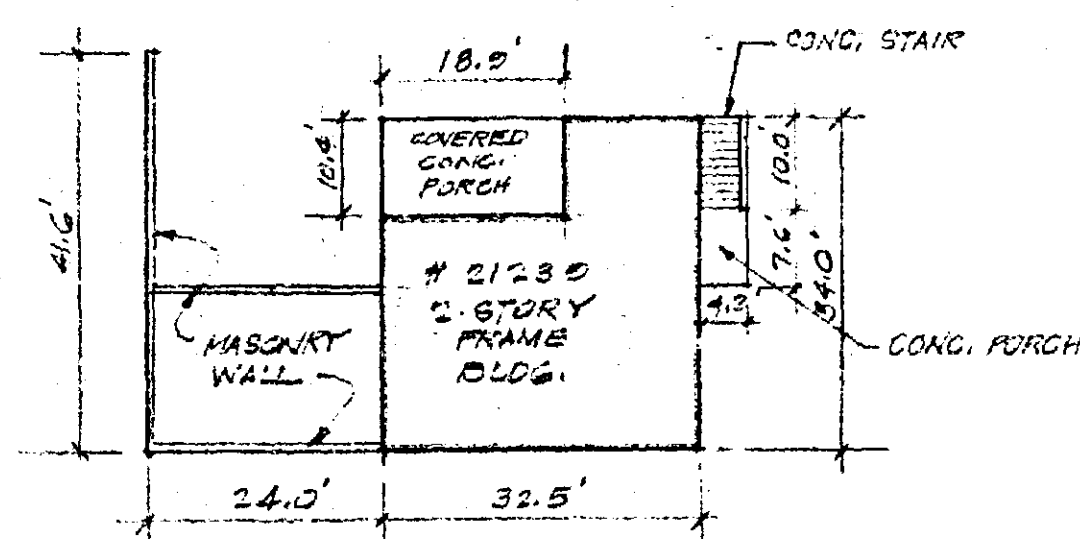
Engineers - Surveyors - Site Planners

ORDER RECEIVED FOR FILING

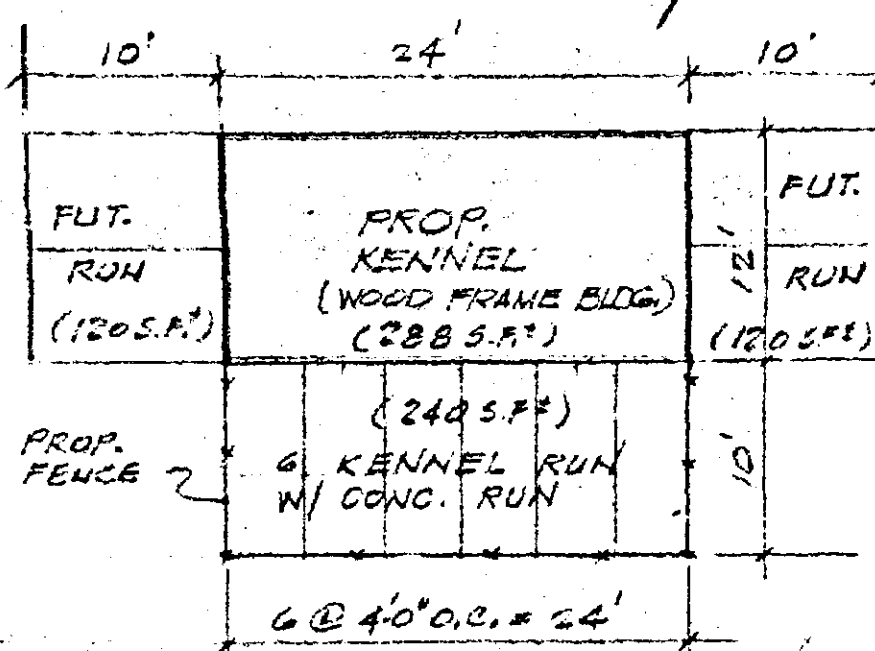
Date

By

LOT 2 - MICHAEL P. KNOTT PROPERTY
E.H.E. JR. 42-37



(A) ENLARGED IMPROVEMENT
(EXISTING)
SCALE: 1"=20'



(B) ENLARGE PROPOSED
KENNEL OFFICE
SCALE: 1"=20'

EXIST ZONING: RC-4
EXIST USE: RESIDENTIAL

EXIST ZONING: RC-4
EXIST USE: RESIDENTIAL

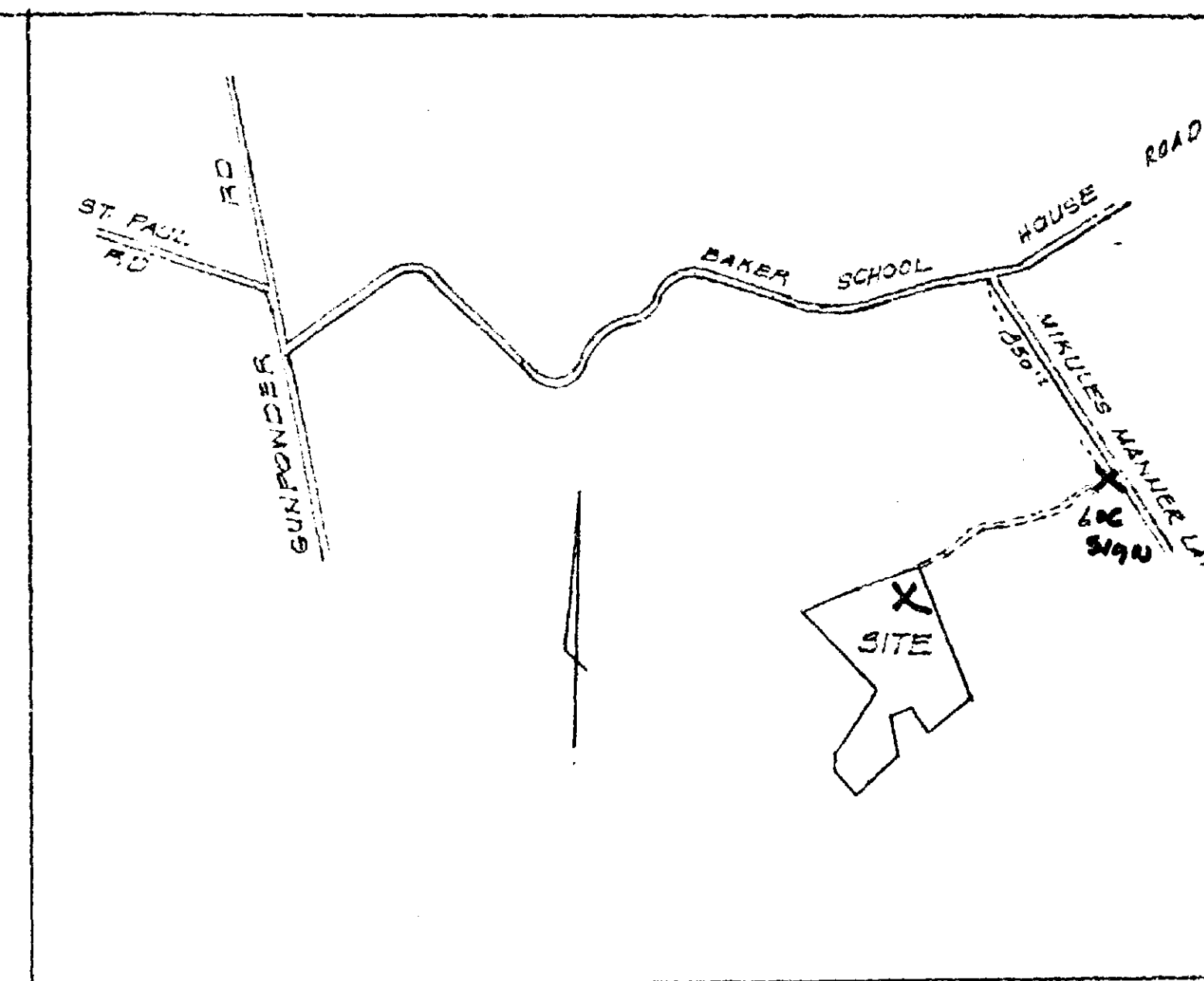
SEE ENLARGE
PROPOSED KENNEL
(WOOD FRAME W/
CONC. RUN)

SEE ENLARGE
BLDG. PLAN

EXIST ZONING: RC-2
EXIST USE: RESIDENTIAL

FRONT YARD VARIANCE REQUESTED (A VARIANCE OF 150')
(40' IN LIEU OF 200')

EXIST ZONING: RC-2
EXIST USE: RESIDENTIAL



VICINITY MAP
SCALE: 1"=500'

GENERAL NOTES

1. AREA OF SITE = 14.74 ACRES
2. EXISTING ZONING OF PROPERTY = R.C. 2.4 R.C. 4
3. EXISTING USE OF PROPERTY = RESIDENTIAL
4. PROPOSED ZONING OF PROPERTY = R.C. 4 & R.C. 2 N/SPECIAL EXCEPTION
5. PROPOSED USE OF PROPERTY = RESIDENTIAL & DOG KENNEL
6. TOTAL AREA FOR KENNEL USE:
 - A. PROPOSED BUILDING & RUNS = 288 S.F. + 480 S.F. = 768 S.F.
7. REQUIRED OFF-STREET PARKING = 0
8. PETITIONER REQUESTING SPECIAL EXCEPTION TO PERMIT A DOG KENNEL IN R.C. 2 ZONE.
9. PETITIONER REQUESTING A VARIANCE TO SECTION 421.1 OF THE ZONING REGULATIONS TO PERMIT A FRONT YARD SETBACK OF 40' INSTEAD OF THE OF THE REQUIRED 200' (A VARIANCE 150')
10. PROPERTY SERVED BY PRIVATE SEWER & WATER
11. PROPERTY DRAINS TO WALKER RUN

PLAT TO ACCOMPANY PETITION FOR
SPECIAL EXCEPTION & YARD VARIANCE

#21239 MIKULES MANNER LANE

GTH ELECT. DIST.

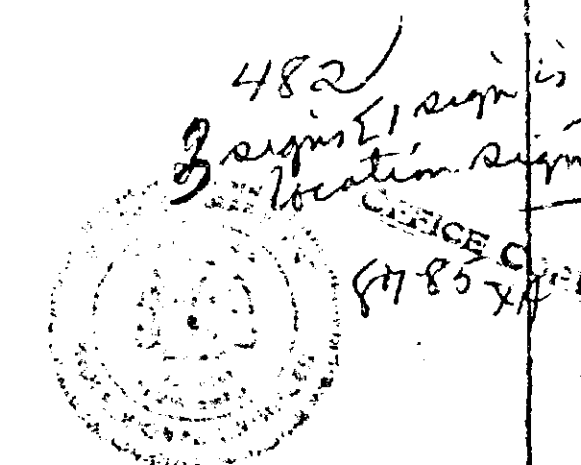
BALTIMORE COUNTY, MD

SCALE: 1"=60'

MAY 30, 1986

PETITIONER'S
EXHIBIT

PAUL LEE ENGINEERING, INC.
304 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204



PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE

6th Election District

Case No. 87-85-XA

LOCATION: 1650 feet West of Mikules Manner Lane, 850 feet South of Bakers Schoolhouse Lane (21239 Mikules Manner Lane)

DATE AND TIME: Tuesday, September 9, 1986, at 11:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception for a dog kennel in an R.C. 2 Zone

Petition for Zoning Variance to permit a front yard setback of 40 feet in lieu of the required 200 feet

Being the property of James A. O'Donnell, et ux, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

September 3, 1986

Mr. James A. O'Donnell
Mrs. Patricia J. O'Donnell
21239 Mikules Manner Lane
Freeland, Maryland 21053

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
1650' W of Mikules Manner La., 850' S of Bakers
Schoolhouse La. (21239 Mikules Manner La.)
6th Election District
James A. O'Donnell, et ux - Petitioners
Case No. 87-85-XA

Dear Mr. and Mrs. O'Donnell:

This is to advise you that \$22.27 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 025508

DATE 9/9/86 ACCOUNT 02-613
AMOUNT \$ 22.27
RECEIVED FROM Mr. James A. O'Donnell, 21239 Mikules Manner Lane, Towson, Md. 21053
FOR PAYMENT OF FEE FOR POSTING SIGN AND POST 87-85-XA
VALIDATION OR SIGNATURE OF CASHIER

Mr. James A. O'Donnell
Mrs. Patricia J. O'Donnell
21239 Mikules Manner Lane
Freeland, Maryland 21053

July 25, 1986

NOTICE OF HEARING

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
1650' W of Mikules Manner La., 850' S of Bakers
Schoolhouse La. (21239 Mikules Manner La.)
6th Election District
James A. O'Donnell, et ux - Petitioners
Case No. 87-85-XA

TIME: 11:30 a.m.

DATE: Tuesday, September 9, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

[Signature]
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 018963

DATE 9/9/86 ACCOUNT 01-613
AMOUNT \$ 200.00
RECEIVED FROM James A. O'Donnell
FOR For Fee Payment Sign and Post 87-85-XA
VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

87-85-XA

District 6th Date of Posting August 16, 1986
Posted for: Special Exception
Petitioner: James A. O'Donnell, et ux
Location of property: 1650' W of Mikules Manner Lane, 850' S of Bakers Schoolhouse Lane (21239 Mikules Manner Lane)
Location of Sign: Sign to be placed on front of subject property
Remarks: 21239 Mikules Manner Lane
Posted by A. J. R. Signature [Signature] Date of return Aug 18, 1986
Number of Signs: 2

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCE
1650' W of Mikules Manner Lane : OF BALTIMORE COUNTY
850' S of Bakers Schoolhouse
(21239 Mikules Manner La.) :
6th District
JAMES A. O'DONNELL, et ux, : Case No. 87-85-XA
Petitioners

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

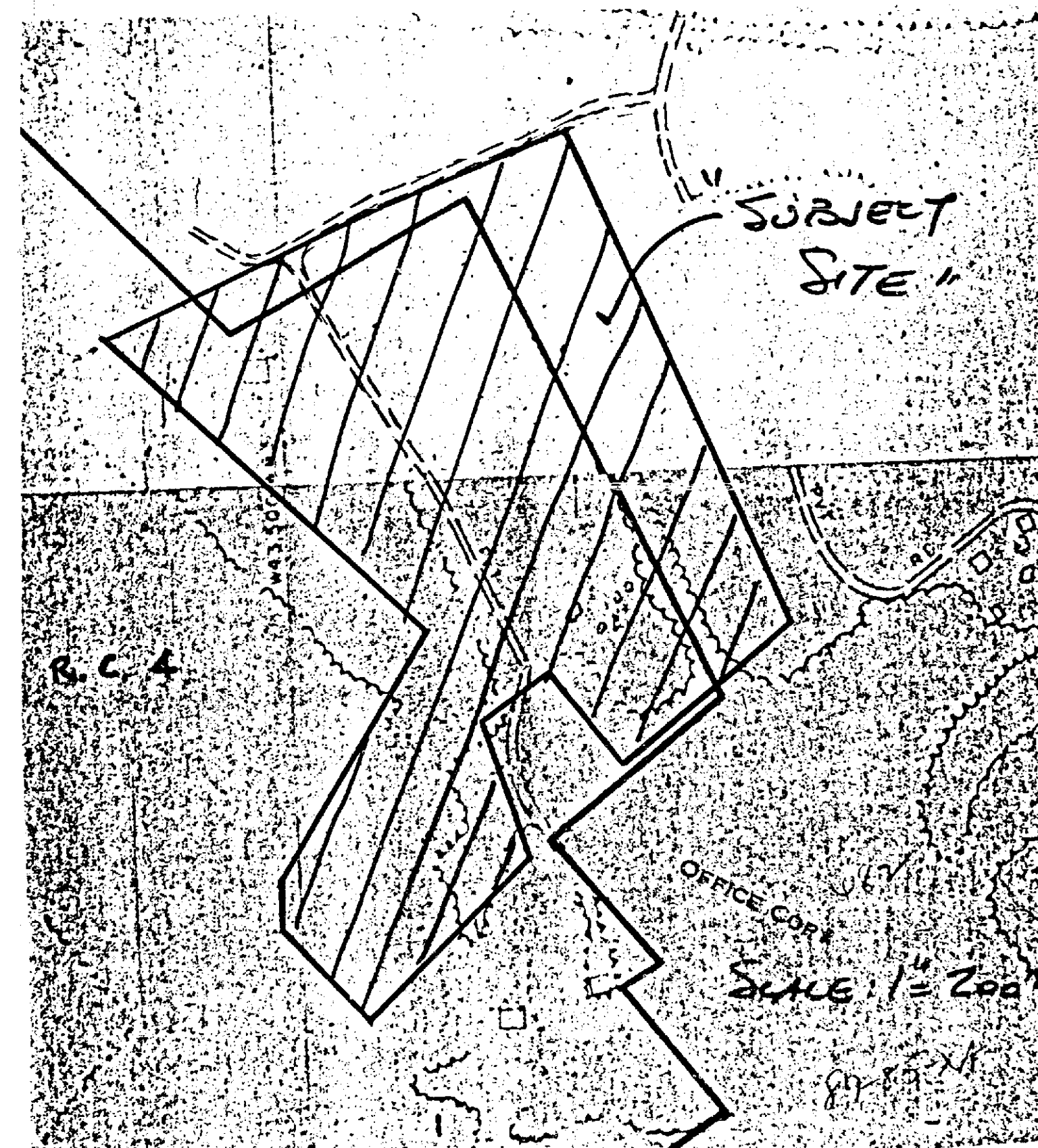
I HEREBY CERTIFY that on this 11th day of August, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. James A. O'Donnell, 21239 Mikules Manner Lane, Freeland, MD 21053, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

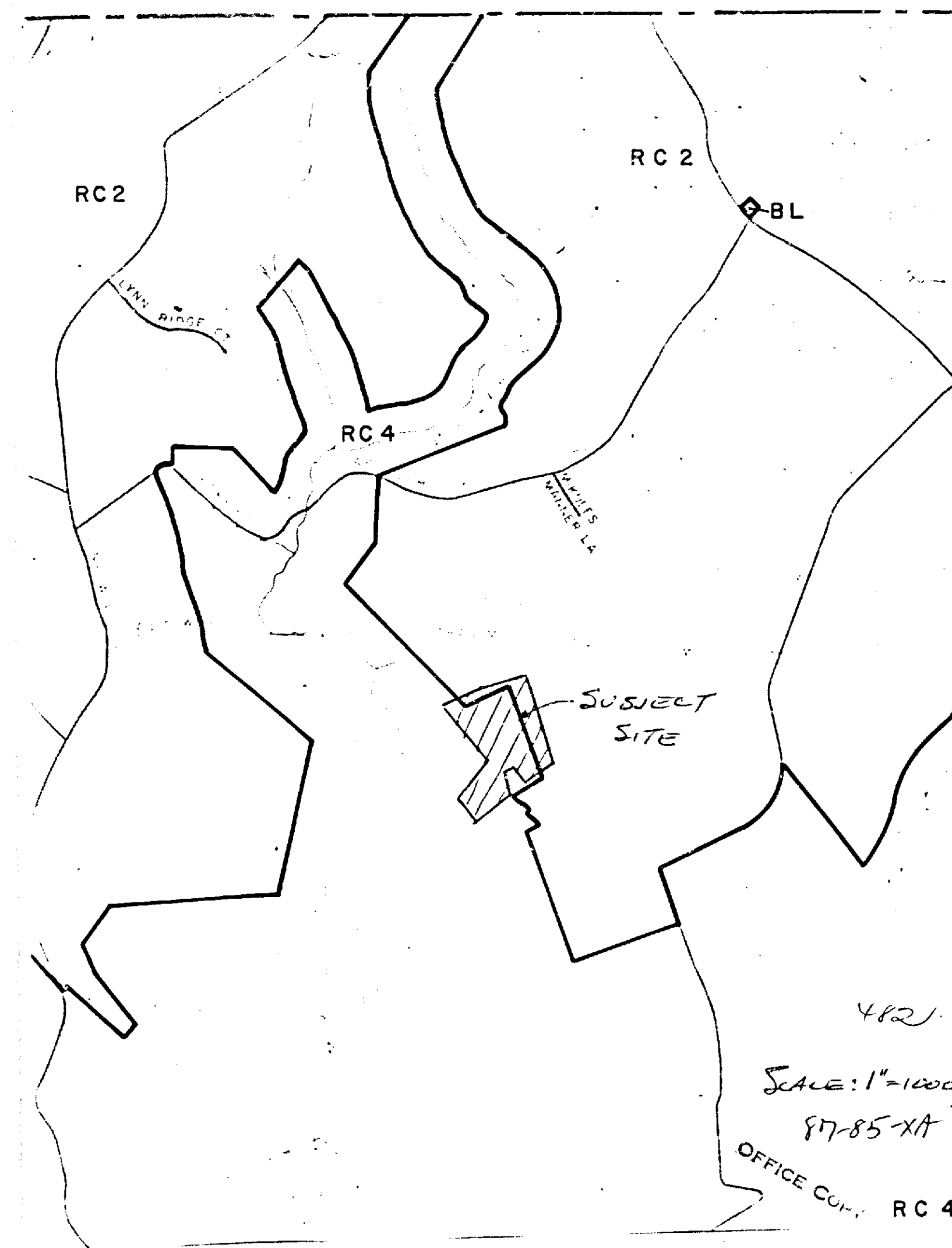
PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
6th Election District
Case No. 87-85-XA
LOCATION: 1650 feet West of Mikules Manner Lane, 850 feet South of Bakers Schoolhouse Lane (21239 Mikules Manner Lane)
DATE AND TIME: Tuesday, September 9, 1986, at 11:30 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:
Petition for Special Exception for a dog kennel in an R.C. 2 Zone
Petition for Zoning Variance to permit a front yard setback of 40 feet in lieu of the required 200 feet.
Being the property of James A. O'Donnell, et ux, as shown on plat plan filed with the Zoning Office.
In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

PERS OF MARYLAND, INC.

d. Aug. 21, 1986
nexted... Reg. #192783... P.O. #79064
Accession weeks/days previous
19.86... in the
a daily newspaper published
ister, Carroll County, Maryland.
weekly newspaper published
in Baltimore County, Maryland.
weekly newspaper published
in Baltimore County, Maryland.
Landmark Community Newspapers of Maryland, Inc.
Per [Signature]



H



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: August 21, 1986
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition No. 87-85-XA

This office is of the opinion that Section 421.2 governs use and, as such, is not the normal area requirement; consequently, we do not believe it is subject to a variance.

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEG:JGH:slm

S. ERIC DINENNA, P.A.
JAMES L. MANN, JR., P.A.
GEORGE A. BRISCH, P.A.

DINENNA, MANN & BRISCH
ATTORNEYS AT LAW
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(301) 296-6820

ZONING OFFICE

RECEIVED
NOV 14 1986

November 13, 1986

Jean H. Jung
Deputy Zoning Commissioner
For Baltimore County
County Office Building
Towson, Maryland 21204

RE: Case No.: 87-85 XA
James O'Donnell, Petitioner
My File No.: 86-59

Dear Ms. Jung:

This matter was heard before you on September 9, 1986.

My clients have made several inquiries with reference to an Order being issued by you and I would respectfully request that at your earliest convenience, please advise us of your decision.

Very truly yours,

S. ERIC DINENNA

SED:kar

cc: Mr. James O'Donnell

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

AUGUST 19, 1986

Re: Zoning Advisory Meeting of July 8, 1986
Item # 482 JAMES A. O'DONNELL

1650' W. MIKULES MANNER LANE, 850 FT. S. OF BAKER SCHOOLHOUSE LANE, DISTRICT 6th

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- () There are no site planning factors requiring comment.
- () A County Review Group Meeting is required.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The drainage arrangement is not satisfactory.
- () Parking calculations must be shown on the plan.
- () Development on these soils, which are defined as wetlands, and under the provisions of Section 22-93 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on 8/11/86.
- () The property is located in a deficient service area as defined by Bill 173-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is:
- () The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 173-79, and as conditions change are reevaluated annually by the County Council.
- () Additional comments:

Lynette A. Jablon
Chief, Current Planning and Development

cc: James O'Donnell



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

August 1, 1986

July 22, 1986

Mr. James A. O'Donnell
21239 Mikules Manner Lane
Freeland, Maryland 21053

RE: Item No. 482 - Case No. 87-85-XA
Petitioner: James A. O'Donnell, et ux
Petitions for Variance and Special
Exception

Dear Mr. O'Donnell:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kkb

Enclosures

cc: Paul Lee Engineering, Inc.
304 W. Pennsylvania Avenue
Towson, Maryland 21204

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 482, Zoning Advisory Committee Meeting of July 8, 1986

Property Owner: James A. O'Donnell, et ux of Baker Schoolhouse Lane

Location: 1650 ft. W. Mikules Manner Lane, 850 ft. S. of Baker Schoolhouse Lane, District 6th

Water Supply: Private Sewage Disposal: Private

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- () Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

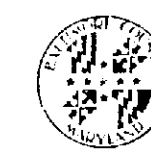
SS 20 1082 (1)

Zoning Item # 482 Zoning Advisory Committee Meeting of July 8, 1986
Page 2

- () Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
- () Soil percolation tests (have been/must be) conducted.
 - () The results are valid until _____.
 - () Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test:
 - () shall be valid until _____.
 - () is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydro-geological Study and an Environmental Effects Report must be submitted.
- (X) Others: The Petitioner should be advised that before building permits are released full laboratory and plumbing plans for the proposed kennel will have to be reviewed by this department. Included in these plans should be a complete operational description (i.e. Number of employees, animal waste disposal), 494-2762

Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

WWQ 2 4/86



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. RENCKE
Chief

July 17, 1986

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

RE: Property Owner: James A. O'Donnell, et ux

Location: 1650 ft. W. Mikules Manner Lane, 850 ft. S. of Baker Schoolhouse Lane

Item No.: 482 Zoning Agenda: Meeting of July 8, 1986

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

- () 6. Site plans are approved, as drawn.

- () 7. The Fire Prevention Bureau has no comment at this time.

Noted and Approved: [Signature] Fire Prevention Bureau
Reviewed: [Signature] Planning Group
Special Inspection Division

/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

July 30, 1986

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 482 Zoning Advisory Committee Meeting are as follows:

Property Owner: James A. O'Donnell, et ux
Location: 1650 Feet W Mikules Manner Lane, 850 feet S of Baker Schoolhouse Lane
District: 6th

APPLICABLE ITEMS ARE CHECKED:

() All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #1-85, the Maryland Code for the Building Code, and the Maryland Code for the Building Code and Standards.

() A building and other miscellaneous permits shall be required before the start of any construction.

() Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.

() Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

() All the Group except B-S Single Family Detached Buildings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. All the Group require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built up an interior lot line shall require a fire or party wall. See Table 401, Section 1007, Section 1008.2 and Table 1007. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.

() The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.

() The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.

() When filing for a required Change of Use/Accessory Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____ or to Mixed Use _____ See Section 3.2 of the Building Code.

() The proposed project appears to be located in a Flood Plain, Flood Hazard, or Flood Hazard. Please see the attached copy of Section 216.0 of the Building Code as adopted by Bill #1-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

() Comments

() These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be considered as the full extent of any review. If desired, the applicant may obtain additional information by visiting Room 102 of the County Office Building at 409 W. Chesapeake Avenue, Towson, Maryland 21204.

By: [Signature]
Building Plans Review

L72786

James ... O'Donnell
21239 Mikules Manner Lane
Freeland, MD 21053

James ... O'Donnell
21239 Mikules Manner Lane
Freeland, MD 21053

TO WHOM IT MAY CONCERN:

We have known the O'Donnell's for 10 years. During that time they have always had dogs. They were our neighbors across the street for several years and now they have been our neighbors next door for the past three years. Their dogs are always confined on their property and are not a nuisance to the neighborhood.

We are in favor for the O'Donnell's to obtain the type kennel license (Class A) and variance to accomodate their dogs for the purpose of breeding, training and exhibiting.

Richard Kelley Jr.
3513 Becker Schoolhouse Rd
Freeland Md. 21053-0060

TO WHOM IT MAY CONCERN:

We are new in the neighborhood but see nothing wrong for the O'Donnell's to obtain a Class A kennel license to hold up to 10 dogs for the purpose of breeding, training and exhibiting.

Joseph M. Lind 3509 Paterschoolhouse Rd. Freeland md 21053
Richard Fava 21350 Mikules Manner La. Freeland 21053
Mercedes A. Fava 21348 " " " "

Membership in the following clubs:

^{NATIONAL CLUB}
American Pointer Club - Vice President *2 YEARS*
^{NATIONAL CLUB}
American Pointer Club Field Trial Chairman - 13 terms
^{NATIONAL CLUB}
American Pointer Club Field Trial Secretary - 13 terms
Eastern Region ~~American~~ Pointer Club
Pointer Association of New England
English Setter Club of America
American Kennel Club
American Paso Fino Club of America

Past Memberships:

Maryland Sporting Dog Association
Susquahana Brittany Club
York Pointer and Setter Club
Anne Arundel Bird Dog Club

Achievements:

Put a Dual Championship on a dog, making this the first and only AKC Pointer to achieve this title.

Was honored at the AKC Centennial.

Was chosen to participate in an AKC movie on hunting.

Various articles have been written regarding the dog's and my accomplishments, plus magazine articles published in Norway by the Norwegian Kennel Club.

PETER O'NEILL'S
EXHIBIT 2

PETER O'NEILL'S
EXHIBIT 3b

PETER O'NEILL'S
EXHIBIT 3a

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for DOG KENNEL IN RC 2 ZONE.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

Legal Owner(s):

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.: 296-6820

ORDERED BY The Zoning Commissioner of Baltimore County, this 21st day of July, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 9th day of September, 1986, at 11:30 o'clock A.M.

Zoning Commissioner of Baltimore County.

CCO-No. 1

(over)

87-85-XA

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 21st day of July, 1986

ARNOLD JADON
Zoning Commissioner

Petitioner James A. O'Donnell, et al Received by: James F. Dyer
Chairman, Zoning Plans
Advisory Committee

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 401.1 TO PERMIT A YARD SETBACK OF 20' INSTEAD OF THE REQUIRED 20'.

The undersigned, legal owner(s) of the property situate in Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

DOG KENNEL MUST BE CONSTRUCTED IN RC 2 ZONE
RC 2 LINE THROUGH PROPERTY IS LESS THAN
200' FROM PROPERTY LINE.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

Legal Owner(s):

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.: 296-6820

ORDERED BY The Zoning Commissioner of Baltimore County, this 21st day of July, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 9th day of September, 1986, at 11:30 o'clock A.M.

Zoning Commissioner of Baltimore County.

CERTIFICATE OF PUBLICATION

TOWSON, MD., August 21, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on August 21, 1986.

THE JEFFERSONIAN,

Arnold Jadon
Publisher

Cost of Advertising

24.25

PETITION FOR SPECIAL EXCEPTION AND VARIANCE
4th Election District
Case No. 87-85-XA
LOCATION: 1650' West of Mikules Manner Lane, 850' South of Bakers Schoolhouse Lane (21239 Mikules Manner Lane)
DATE AND TIME: Tuesday, September 9, 1986, at 11:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by order of the Zoning Commission, will hold a public hearing on the petition for a special exception for a dog kennel in an RC 2 zone. The petition for a special exception for a dog kennel in an RC 2 zone is being filed with the Zoning Commission. In the event that this petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will, however, intervene any request for a stay of the issuance of a building permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.
By Order of
ARNOLD JADON
Zoning Commissioner
of Baltimore County
8/17/86

IN RE: PETITION FOR SPECIAL EXCEPTION AND ZONING VARIANCE
1650' W of Mikules Manner Lane,
850' S of Bakers Schoolhouse Lane,
(21239 Mikules Manner Lane)
6th Election District
James A. O'Donnell, et al
Petitioners

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 87-85-XA

The Petitioners herein request a special exception to permit a dog kennel in an RC 2 zone, and additionally, a variance to permit a front yard setback of 40 feet in lieu of the required 200 feet.

Testimony by and on behalf of the Petitioners indicated that they purchased the subject property in 1983. The bulk of the site is zoned RC 4 which does not permit a kennel, but a strip of land zoned RC 2 runs along a portion of the northern property line and all of the eastern property line. The Petitioners' family resides in the property and each year, from 10 - 13 acres are used for crops or pasture. The owner has utilized the appropriate IRC form for farm income and the Maryland assessment declaration of intention to remain a farmer. The Petitioner has a fanciers license (limiting him to 10 dogs) for raising and showing English Pointers. In fact, the Petitioner is vice president of the National American Pointer Club and raised and showed the only dual champion in U.S. history. The dogs belong to the family; no other dogs are boarded. The property is in a right-of-way shared with five other families. The nearest dwelling is approximately a quarter of a mile away from the proposed kennel location. To place the kennel anywhere on RC 2 zoned property would require a variance. He would prefer that the kennel be considered a part of the farm so that he could relocate the kennel on the RC 4 portion of the property to the southeast of the house, approximately 600 feet from the eastern property line.

The owner of an adjacent piece of property testified in protest. He objects to noise from the dogs and stated that the dogs chase quail on his property.

ORDER RECEIVED FOR FILING

Date 11/19/86 By [Signature]

After due consideration of all evidence and testimony presented, as well as a review of Baltimore County Zoning Regulations (RC23), including the definitions of farm and kennel, in the opinion of the Deputy Zoning Commissioner, raising and showing dogs as described by the Petitioners is a separate activity and cannot be considered accessory to farm activities relative to crops, livestock and pasture. However, to deny the request for a special exception and variance in this case would result in practical difficulty or unreasonable hardship upon the petitioner. The requirements of Section 502.1 of the BCZP have been met, and the health, safety and general welfare of the community will not be adversely affected. Therefore, the special exception and variance should be granted.

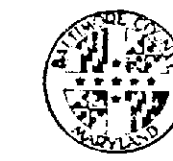
Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 24th day of November 1986, that the herein request for a special exception to permit a dog kennel in an RC 2 zone, and additionally, a variance to permit a front yard setback of 40 feet, in accordance with the plan submitted prepared by Paul Lee Engineering, Inc., dated May 30, 1986 and identified as Petitioner's Exhibit 1, be and are hereby GRANTED, subject, however, to the following restrictions:

- 1) The kennel shall provide facilities for no more than ten (10) adult show dogs, all owned by the property owner, except for an occasional dog brought in temporarily for breeding purposes.
- 2) No kennel identification or commercial sign shall be permitted.

Arnold Jadon
Deputy Zoning Commissioner
of Baltimore County

ORDER RECEIVED FOR FILING

Date 11/19/86 By [Signature]



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3333

ARNOLD JADON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

November 24, 1986

S. Eric DiMenna, Esquire
406 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Petition - Special Exception and Zoning Variance; 1650' W of Mikules Manner Lane, 850' S of Bakers Schoolhouse Lane (21239 Mikules Manner Lane) 6th Election District James A. O'Donnell Property Case No. 87-85-XA

Dear Mr. DiMenna:

Enclosed please find a copy of the decision rendered on the above-referenced Petition. Your request for a special exception and zoning variance have been granted, subject to the restrictions as noted in the attached Order.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

Arnold Jadon
Deputy Zoning Commissioner

JMD:bjb

Attachments

cc: Mr. Foy R. Allen
8200 Thornton Road
Towson, Maryland 21204

Mr. & Mrs. James A. O'Donnell
21239 Mikules Manner Lane
Freeland, Maryland 21053

People's Counsel

Paul Lee P.E.

Paul Lee Engineering Inc.

304 W. Pennsylvania Ave.
Towson, Maryland 21204
301-821-5341

DESCRIPTION

21239 MIKULES MANNER LANE
6TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point, said point being the northeastern-most corner of the property and located along the south side of a 20' right of way for ingress and egress 1,650' westerly from the center of Mikules Manner Lane, thence leaving said south side of a 20' right of way 13 following courses and distances:

- (1) S 16°00'10" East 844.93 feet
- (2) S 56°59'50" West 330.00 feet
- (3) N 30°43'54" West 119.78 feet
- (4) N 25°27'49" West 74.00 feet
- (5) S 62°34'22" West 140.29 feet
- (6) S 09°12'03" East 225.84 feet
- (7) S 51°17'59" West 344.95 feet
- (8) N 35°42'19" West 205.01 feet
- (9) N 06°28'30" East 61.85 feet
- (10) N 37°11'56" East 474.41 feet
- (11) N 39°48'04" West 664.17 feet
- (12) N 72°41'56" East 395.34 feet and
- (13) N 72°59'50" East 379.50 feet to the point of beginning.

Containing 14.74 acres of land, more or less.

Saving and excepting that portion of ground zoned R.C.4.



5/12/86

Engineers - Surveyors - Site Planners

Floor plan of a two-story frame building with a basement. The plan shows a central rectangular area labeled '# 21230 2-STORY FRAME BLDG.' with a width of 32.5' and a depth of 24.0'. To the left is a 'MASONRY WALL' section 24.0' wide. To the right is a 'CONC. PORCH' area 34.0' wide, containing a 'CONC. STAIR' and a 'COVERED CONC. PORCH' measuring 10.4' by 18.0'. A small '4.0' dimension is also noted near the porch entrance.

The site plan shows a rectangular property with dimensions 10' on the top and bottom edges, and 24' on the left and right edges. A central rectangular area is labeled 'PROP. KENNEL (WOOD FRAME BLDG.) (288 S.F.)'. To the left of this area is a 'FUT. RUN (120 S.F.)' and to the right is another 'FUT. RUN (120 S.F.)'. A 'PROP. FENCE' is indicated on the left side of the property. A 'G. KENNEL RUN W/ CONC. RUN' is shown at the bottom of the central area. The bottom edge of the property is labeled 'G @ 40' O.C. = 24''.

EXIST. ZONING: "RC-4"
EXIST. USE: "RESIDENTIAL"

A hand-drawn map of the Baker School area. The map shows a winding road with several landmarks labeled along its path: "ST PAUL RD" at the top left, "GUNPOND RD" on the left side, "BAKER SCHOOL" in the center, "HOUSE" on the right side, and "WHEELS HANDED LANE" at the bottom right. A dashed line labeled "3500'" connects the "HOUSE" area to a small, irregularly shaped area labeled "SITE" with an "X" inside. Another "X" is marked on "WHEELS HANDED LANE" with the text "60' SIGN" below it. A vertical line is drawn in the center of the map, and a small "X" is marked on the road between "BAKER SCHOOL" and "HOUSE".

GENERAL NOTES

1. AREA OF SITE = 14.74 ACRES
2. EXISTING ZONING OF PROPERTY = R.C. 2 & R.C. 4
3. EXISTING USE OF PROPERTY = "RESIDENTIAL"
4. PROPOSED ZONING OF PROPERTY = R.C. 4 & R.C. 2 N/SPECIAL EXCEPTION
5. PROPOSED USE OF PROPERTY = RESIDENTIAL & DOG KENNEL
6. TOTAL AREA FOR KENNEL USE:
A. PROPOSED BUILDING & RUNS = 288 S.F. + 480 S.F. = 768 S.F.
7. REQUIRED OFF-STREET PARKING = 0
8. PETITIONER REQUESTING SPECIAL EXCEPTION TO PERMIT A DOG KENNEL IN R.C. 2 ZONE.
9. PETITIONER REQUESTING A VARIANCE TO SECTION 421.1 OF THE ZONING REGULATIONS TO PERMIT A FRONT YARD SETBACK OF 40' INSTEAD OF THE OF THE REQUIRED 200' (A VARIANCE 160')
10. PROPERTY SERVED BY PRIVATE SEWER & WATER
11. PROPERTY DRAINS TO WALKER RUN"

PLAT TO ACCOMPANY PETITION FOR
SPECIAL EXCEPTION & YARD VARIANCE

*21239 MIKULES MANNER LANE

6TH ELECT. DIST.

BALTIMORE COUNTY, MD

SCALE: 1" = 60'

MAY 30, 1986

PETTYCLERK'S
EXHIBIT /

PAUL LEE ENGINEERING, INC.
304 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204

482
3 signs
location sign
OFFICE
8785

86020

PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE

6th Election District

Case No. 87-85-XA

LOCATION: 1650 feet West of Mikules Manner Lane, 850 feet South of Bakers Schoolhouse Lane (21239 Mikules Manner Lane)

DATE AND TIME: Tuesday, September 9, 1986, at 11:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception for a dog kennel in an R.C. 2 Zone

Petition for Zoning Variance to permit a front yard setback of 40 feet in lieu of the required 200 feet

Being the property of James A. O'Donnell, et ux, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

September 3, 1986

Mr. James A. O'Donnell
Mrs. Patricia J. O'Donnell
21239 Mikules Manner Lane
Freeland, Maryland 21053

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
1650' W of Mikules Manner La., 850' S of Bakers
Schoolhouse La. (21239 Mikules Manner La.)
6th Election District
James A. O'Donnell, et ux - Petitioners
Case No. 87-85-XA

Dear Mr. and Mrs. O'Donnell:

This is to advise you that \$22.27 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 025508

DATE: 9/9/86 ACCOUNT: 01-615
AMOUNT: \$22.27
RECEIVED FROM: Mr. James A. O'Donnell, 21239 Mikules Manner Lane, Freeland, Md. 21053
FOR: PETITION FOR SPECIAL EXCEPTION AND VARIANCE 87-85-XA
VALIDATION OR SIGNATURE OF CASHIER

Mr. James A. O'Donnell
Mrs. Patricia J. O'Donnell
21239 Mikules Manner Lane
Freeland, Maryland 21053

July 25, 1986

NOTICE OF HEARING

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
1650' W of Mikules Manner La., 850' S of Bakers
Schoolhouse La. (21239 Mikules Manner La.)
6th Election District
James A. O'Donnell, et ux - Petitioners
Case No. 87-85-XA

TIME: 11:30 a.m.

DATE: Tuesday, September 9, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

By Order of
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 018963

DATE: 9/9/86 ACCOUNT: 01-615
AMOUNT: \$200.00
RECEIVED FROM: James A. O'Donnell
FOR: Petition for Special Exception and Variance 87-85-XA
VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

87-85-XA

District: 6th Date of Posting: August 16, 1986
Posted for: Special Exception
Petitioner: James A. O'Donnell, et ux
Location of property: 1650' W of Mikules Manner Lane, 850' S of Bakers Schoolhouse Lane (21239 Mikules Manner Lane)
Location of Sign: 1650' W of Mikules Manner Lane, 850' S of Bakers Schoolhouse Lane (21239 Mikules Manner Lane)
Remarks: Before Board on the 2nd day of August 1986 at 11:30 a.m. at the County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
Posted by: A. J. Jablon Signature
Number of Signs: 5

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCE
1650' W of Mikules Manner Lane : OF BALTIMORE COUNTY
850' S of Bakers Schoolhouse
(21239 Mikules Manner Lane.) :
6th District
JAMES A. O'DONNELL, et ux, : Case No. 87-85-XA
Petitioners

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

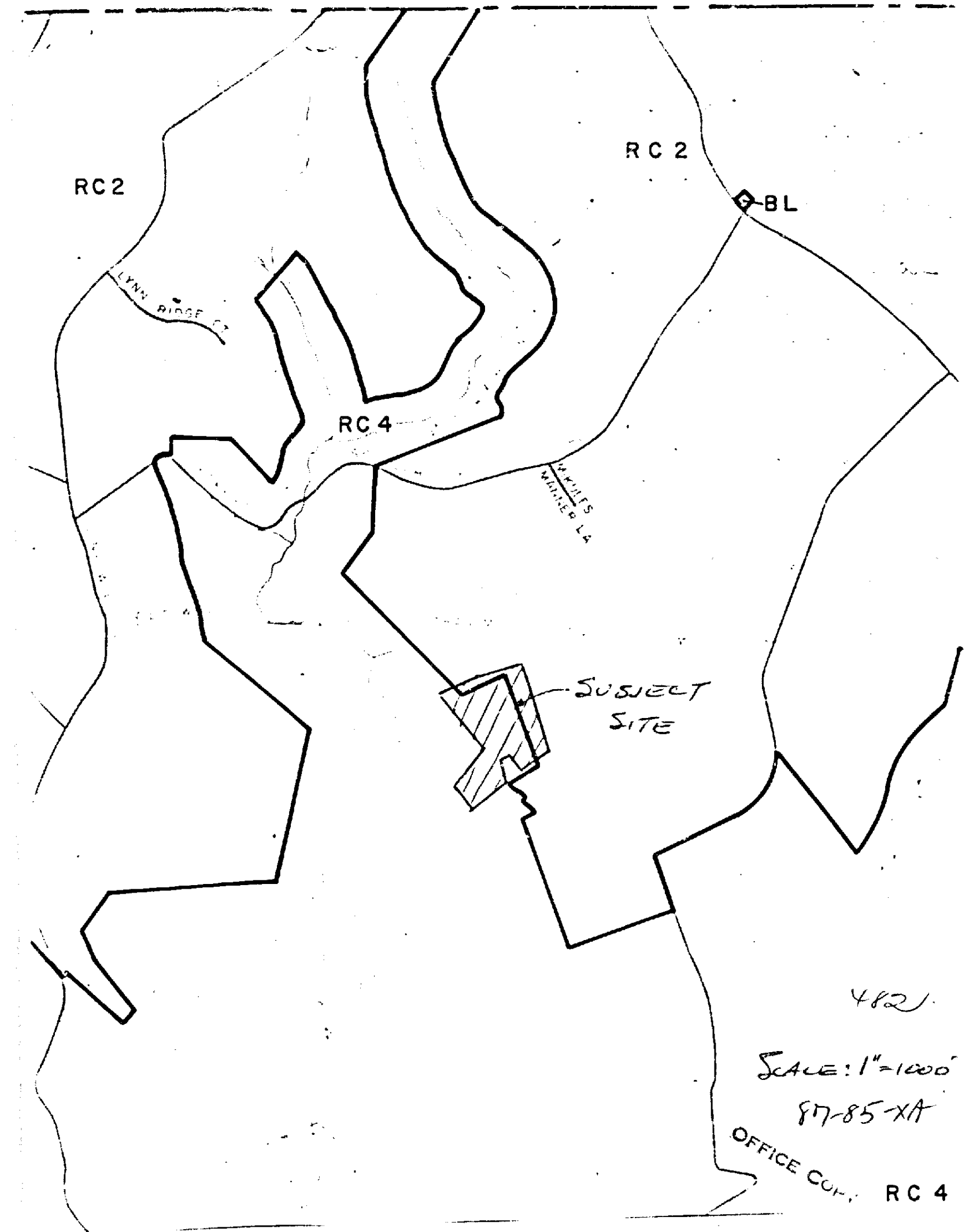
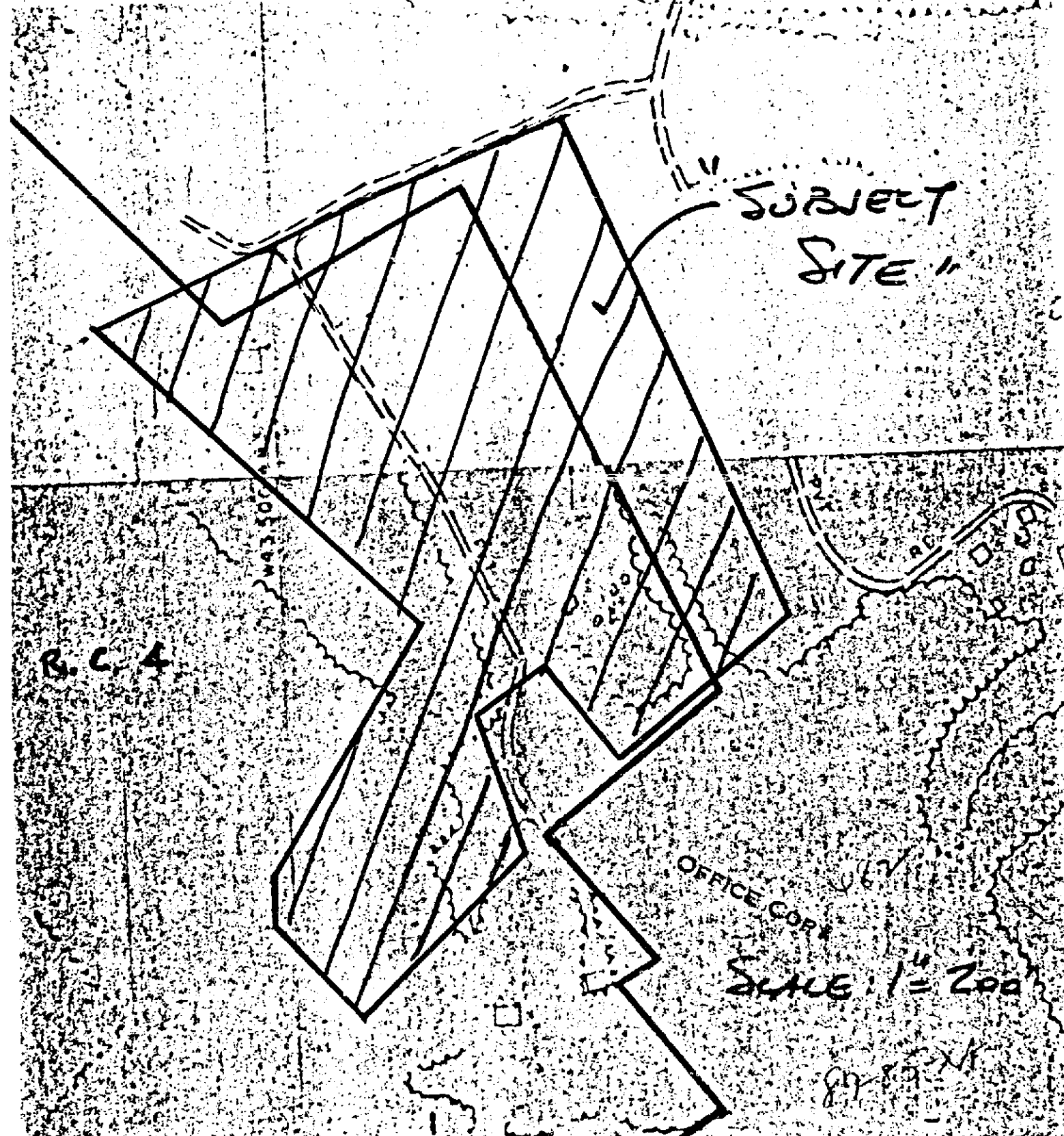
I HEREBY CERTIFY that on this 11th day of August, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. James A. O'Donnell, 21239 Mikules Manner Lane, Freeland, MD 21053, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
6th Election District
Case No. 87-85-XA
LOCATION: 1650 feet West of Mikules Manner Lane, 850 feet South of Bakers Schoolhouse Lane (21239 Mikules Manner Lane)
DATE AND TIME: Tuesday, September 9, 1986, at 11:30 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:
Petition for Special Exception for a dog kennel in an R.C. 2 Zone
Petition for Zoning Variance to permit a front yard setback of 40 feet in lieu of the required 200 feet.
Being the property of James A. O'Donnell, et ux, as shown on plat plan filed with the Zoning Office.
In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.
BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

PERS OF MARYLAND, INC.

d. Aug. 21, 1986
nexted...Reg. #192783...P.O. #79064
Accession weeks/days previous
19.86...in the
a daily newspaper published
ister, Carroll County, Maryland.
weekly newspaper published
in Baltimore County, Maryland.
weekly newspaper published
in Baltimore County, Maryland.
Landmark Community Newspapers of Maryland, Inc.
Pet. [Signature]



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: August 21, 1986
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition No. 87-85-XA

This office is of the opinion that Section 421.2 governs use and, as such, is not the normal area requirement; consequently, we do not believe it is subject to a variance.

Norman E. Gerber (Signature)
Norman E. Gerber, AICP
Director

NEG:JGH:slm

S. ERIC DINENNA, P.A.
JAMES L. MANN, JR., P.A.
GEORGE A. BRESCHI, P.A.

DINENNA, MANN & BRESCHI
ATTORNEYS AT LAW
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(301) 296-6820

ZONING OFFICE

RECEIVED
NOV 14 1986

November 13, 1986

Jean H. Jung
Deputy Zoning Commissioner
For Baltimore County
County Office Building
Towson, Maryland 21204

RE: Case No.: 87-85 XA
James O'Donnell, Petitioner
My File No.: 86-59

Dear Ms. Jung:

This matter was heard before you on September 9, 1986.

My clients have made several inquiries with reference to an Order being issued by you and I would respectfully request that at your earliest convenience, please advise us of your decision.

Very truly yours,

ERIC DINENNA

SED:kar

cc: Mr. James O'Donnell

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

AUGUST 19, 1986

Re: Zoning Advisory Meeting of July 8, 1986

Item # 482 JAMES A. O'DONNELL

1650' W. MIKULES MANNER LANE, 850 FT. S. OF BAKER SCHOOLHOUSE LANE, DISTRICT 6th

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- () There are no site planning factors requiring comment.
- () A County Review Group Meeting is required.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The drainage arrangement is not satisfactory.
- () Parking calculations must be shown on the plan.
- () Development on these soils, which are defined as wetlands, and under the provisions of Section 22-93 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on 8/11/86.
- () The property is located in a deficient service area as defined by Bill 173-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is:
- () The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 173-79, and as conditions change are reevaluated annually by the County Council.
- () Additional comments:

cc: James O'Donnell

Lynette A. Jablon
Chief, Current Planning and Development

SS 20 1082 (1)

Zoning Item # 482 Zoning Advisory Committee Meeting of July 8, 1986
Page 2

- () Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
- () Soil percolation tests (have been/must be) conducted.
 - () The results are valid until _____.
 - () Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test:
 - () shall be valid until _____.
 - () is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydro-geological Study and an Environmental Effects Report must be submitted.

Others The Petitioner should be advised that before building permits are released Full Laboratory and plumbing plans for the proposed building will have to be reviewed by this department. Included in these plans should be a complete operational description (i.e. Number of employees, normal waste disposal), 494-2762

Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

WWQ 2 4/86



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. RENCKE
Chief

July 17, 1986

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

RE: Property Owner: James A. O'Donnell, et ux

Location: 1650 ft. W Mikules Manner Lane, 850 ft. S of Bakers Schoolhouse Lane

Item No.: 482 Zoning Agenda: Meeting of July 8, 1986

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

- () 6. Site plans are approved, as drawn.

- () 7. The Fire Prevention Bureau has no comment at this time.

REVIEWER: [Signature] July 15, 1986
Planning Group
Special Inspection Division

Noted and Approved:

[Signature] Fire Prevention Bureau

/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

July 30, 1986

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 482 Zoning Advisory Committee Meeting are as follows:

Property Owner: James A. O'Donnell, et ux
Location: 1650 Feet W Mikules Manner Lane, 850 feet S of Baker Schoolhouse Lane
District: 6th.

APPLICABLE ITEMS ARE CHECKED:

- () All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #1-85, the Maryland Code for the Building Code, and the Maryland Code for the Building Code and Standards.
- () A building and other miscellaneous permits shall be required before the start of any construction.

- () Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is not required on plans and technical data.

- () Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

- () All the Group except B-1 Single Family Detached Buildings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. All the Group require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1007, Section 1008.2 and Table 1007. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.

- () The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.

- () The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.

- () When filing for a required Change of Use/Accessory Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____ or to Mixed Use _____ See Section 3.2 of the Building Code.

- () The proposed project appears to be located in a Flood Plain, Flood Hazard, or Flood Hazard. Please see the attached copy of Section 216.0 of the Building Code as adopted by Bill #1-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

J. Comments

- () These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be considered as the full extent of any review. If desired, the applicant may obtain additional information by visiting Room 102 of the County Office Building at 409 W. Chesapeake Avenue, Towson, Maryland 21204.

By: [Signature]
Building Plans Review

1/22/86

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 1, 1986



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

Mr. James A. O'Donnell
21239 Mikules Manner Lane
Freeland, Maryland 21053

RE: Item No. 482 - Case No. 87-85-XA
Petitioner: James A. O'Donnell, et ux
Petitions for Variance and Special
Exception

Dear Mr. O'Donnell:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kbb

Enclosures

cc: Paul Lee Engineering, Inc.
304 W. Pennsylvania Avenue
Towson, Maryland 21204

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items number 476, 477, 478, 479, 480, 481, and 482.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate II

MSF:lt

James ... O'Donnell
21239 Mikules Manner Lane
Freeland, MD 21053

James ... O'Donnell
21239 Mikules Manner Lane
Freeland, MD 21053

TO WHOM IT MAY CONCERN:

We have known the O'Donnell's for 10 years. During that time they have always had dogs. They were our neighbors across the street for several years and now they have been our neighbors next door for the past three years. Their dogs are always confined on their property and are not a nuisance to the neighborhood.

We are in favor for the O'Donnell's to obtain the type kennel license (Class A) and variance to accomodate their dogs for the purpose of breeding, training and exhibiting.

Richard Kelley Jr.
3513 Becker Schoolhouse Rd
Freeland Md. 21053-0060

TO WHOM IT MAY CONCERN:

We are new in the neighborhood but see nothing wrong for the O'Donnell's to obtain a Class A kennel license to hold up to 10 dogs for the purpose of breeding, training and exhibiting.

Joseph M. Lind 3509 Batterschulhouse Rd. Freeland md 21053
Richard Fava 21350 Mikules Manner La. Freeland 21053
Mercedes A. Fava 21348 " " " "

Membership in the following clubs:

- ^{NATIONAL CLUB}
American Pointer Club - Vice President *2 YEARS* *BOARD of DIRECTORS 3 YEARS*
^{NATIONAL CLUB}
American Pointer Club Field Trial Chairman - 13 terms
^{NATIONAL CLUB}
American Pointer Club Field Trial Secretary - 13 terms
Eastern Region ~~American~~ Pointer Club
Pointer Association of New England
English Setter Club of America
American Kennel Club
American Paso Fino Club of America

Past Memberships:

- Maryland Sporting Dog Association
Susquahana Brittany Club
York Pointer and Setter Club
Anne Arundel Bird Dog Club

Achievements:

Put a Dual Championship on a dog, making this the first and only AKC Pointer to achieve this title.

Was honored at the AKC Centennial.

Was chosen to participate in an AKC movie on hunting.

Various articles have been written regarding the dog's and my accomplishments, plus magazine articles published in Norway by the Norwegian Kennel Club.

PETER O'NEILL'S
EXHIBIT 2

PETER O'NEILL'S
EXHIBIT 3b

PETER O'NEILL'S
EXHIBIT 3a